

Law Office of Richard A. Altman  
150 East 56th Street, Suite 12B  
New York, New York 10022

Tel. and Fax 212.633.0123  
altmanlaw@earthlink.net  
arteq@earthlink.net  
www.altmanlaw.nyc

October 25, 2023

BY ECF  
Hon. Jessica G. L. Clarke  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Koszkul v. Carney*, Case No. 1:23-cv-06439-JGLC

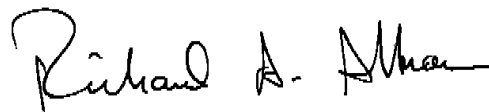
Your Honor:

I represent the plaintiff, and write regarding the Initial Pretrial Conference, presently set for November 2, 2023 at 12 noon. The defendant has filed a motion to dismiss the amended complaint, pursuant to Rules 12(b)(3) and 12(b)(6). The parties have agreed to a schedule for service of opposition and reply papers, and those dates are November 6 and 15 respectively. Because the motion is potentially dispositive, I would respectfully ask that the conference be adjourned without date, until after the motion has been decided. Alternatively, I would ask that it be set for any date after mid-November.

I would also respond to the Court's Civil Rule 3.c.i, regarding diversity jurisdiction. There appears to be no dispute that the parties are two individuals, that the plaintiff is a citizen of Connecticut, that the defendant is a citizen of New York, and that the amount in controversy exceeds \$75,000.

I appreciate the Court's attention.

Respectfully,

A handwritten signature in black ink, appearing to read "Richard A. Altman". The signature is fluid and cursive, with the first name "Richard" being more prominent than the last name "Altman".

Richard A. Altman

Copy to  
J. Morgan Levy, Esq.  
by ECF